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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,594	02/15/2001	Edward O. Wolf	80018A/PRC	8288

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EXAMINER

ELDER, JEREMY RYAN

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 06/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/781,594

Applicant(s)

WOLF ET AL.

Examiner

Jeremy R. Elder

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 February 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 February 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. The drawings are objected to because the indication line for reference number 36 (interface cable in the specification) is labeled incorrectly figure 1. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: 28 in figure 1. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schelling et al. and in further view of Watanabe et al.

As for claim 1, In figure 3 and described in col. 3, line 53 through col. 4, line 7, Schelling et al. discloses system of transferring images to a host computer 50 from a digital camera 44 capable of recording and storing still images as well as audio.

In col. 3, lines 58-62, Schelling et al. discloses coupling the memory to the computer in that the PCMCIA card 46 is removed from the camera and inserted into a PCMCIA slot 48 connected to the host computer 50. Schelling et al. further explain that the computer reads (recognizes the presence of) the data on the card and displays the contents on CRT 53.

Figure 3 shows the same items on CRT 53 that appears on printout 10. Figure 1 discloses the layout of printout 10. As described in col. 2, lines 43-67, the layout shows thumbnail icons 12-18 representative of the file. Also shown are icons 22, 24, 28 and 30 in the bottom right of each thumbnail. Referring to thumbnail 16, icon 28 represents the still image portion, while icon 30 represents the audio clip.

However, Schelling et al. do not disclose using an icon to select an image or audio file for transfer to the host computer.

Watanabe et al. teach of an imaging apparatus to which images are transferred to a computer.

In figure 8 and described in col. 7, lines 4-13, Watanabe et al. teach that the user selects image data to be transferred. The image icon is selected using pointer 37.

The user then drags the icon from the storage device folder to the folder of the hard disk of the computer.

It would have been obvious to one of ordinary skill in the art at the time of invention to combine the "drag and drop" method of Watanabe et al. with the invention of Schilling et al. to create a system of allowing the user select which images or audio clips to transfer from the memory by selecting the corresponding thumbnail to a host computer for the benefit of organizing the images and audio clips on the host computer by thumbnail while freeing limited storage of the camera.

As for claims 2 and 3, in col. 3, lines 58-62, Schelling et al. discloses coupling the memory to the computer in that the PCMCIA card 46 is removed from the camera and inserted into a PCMCIA slot 48 connected to the host computer 50.

As for claim 4, Schelling et al. discloses, in col. 3, lines 1-7, that the print 10 is created on-screen using software on the host computer.

5. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schelling et al. and Watanabe et al. as applied to claim 1 above, and further in view of Shiohara.

Since the scope of the invention by Schelling et al. is that of printing thumbnails, they do not disclose using the computer to view the images or listen to the audio.

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Watanabe et al. disclose selecting icons for transfer (col. 7, lines 4-13), but do not disclose the action of selecting the thumbnail causing the image to be viewed on the computer's CRT or if an audio file, to be heard through the speakers.

Shiohara discloses in col. 1, lines 36-45, that thumbnails are displayed on a computer monitor. When the user selects a thumbnail, the image is expanded for proper viewing.

It would have been obvious to one of ordinary skill in the art at the time of invention to use the computer to view thumbnails of the images taken and select a thumbnail by clicking on it to view the image in its expanded form the benefit of viewing the photos on a CRT in the detail that is not available on a camera LCD.

6. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schelling et al. and Watanabe et al. as applied to claim 1 above, and further in view of Xu.

Schelling et al. does not describe in detail how the PCMCIA card is read by the computer.

Xu discloses a system of accessing data of a digital camera from a computer.

Xu explains, in col. 2, lines 33-36 that the camera can be directly accessed as a disk drive via a computer.

It would have been obvious to one of ordinary skill in the art at the time of invention to have the operating system of the computer recognize the contents of the memory card of the camera as an auxiliary drive for the benefit of not requiring the

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memory card to be removed from the camera simplifying the transfer of images and audio from the camera.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hatanaka et al. disclose in col. 1, lines 15-20, that in convention computer techniques, file management is provided by the operating system in which a file type is designated with a certain file extension (jpg, wav, etc) and/or an icon to represent those files of the same file type.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy R. Elder whose telephone number is (703) 305-4693. The examiner can normally be reached on M-F 800-430.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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